

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

June 20, 2007

Veronica D. McLaughlin Tippet, Esq.
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street NW
Washington, DC 20037-1128

Re: Blue Ridge Broadcasting Corporation
WFGW (AM), Black Mountain, North Carolina
Facility Identification Number: 5972
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed June 8, 2007, on behalf of Blue Ridge Broadcasting Corporation ("BRB"). BRB requests special temporary authority ("STA") to operate Station WFGW with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, BRB states that the property on which the station's antenna system is located has been sold, that excavation of the land will commence shortly and that all but one of the station's towers will be dismantled. BRB requests STA for operation with an emergency nondirectional antenna and reduced power while it seeks to relocate.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) provides that AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent or less of the nominal licensed power, or a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth. Our review indicates that the request complies with Section 73.1680.

Accordingly, the request for STA IS HEREBY GRANTED. Station WFGW may operate with an emergency nondirectional antenna and reduced power not to exceed 12.5 kilowatts daytime, 4.75 kilowatts critical hours and 0.125 kilowatt nighttime. It will be necessary to further reduce power or cease operation if complaints of interference are received. BRB must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310. It is anticipated that an application for construction permit to relocate the transmitter will be filed prior to the expiration date below.

¹ WFGW is licensed for operation on 1010 kHz with 50 kilowatts daytime, 19 kilowatts critical hours and 0.5 kilowatt nighttime, employing different directional patterns during each daypart (DA-3-U).

This authority expires on **December 20, 2007**. Any request for extension of this authority must be accompanied by a detailed progress report, and will be evaluated on the basis of the information provided. *See STA Advisory, below.*

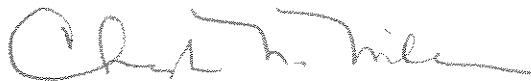
STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Blue Ridge Broadcasting Corporation